

REMARKS

Applicants reply to the Final Office Action dated September 19, 2009 within two months. Claims 24-33 and 39-53 are pending in the application and the Examiner rejects claims 24-33 and 39-53. Applicants respectfully request withdrawal of all rejections and allowance of this application.

Applicants thank the Examiner for the interview conducted on December 28, 2009. In the interview, Applicants' counsel discussed arguments distinguishing the cited references from the pending claims. The Examiner agreed that the arguments sounded persuasive, but the Examiner stated he would need to see the arguments presented in writing. These Remarks present the arguments discussed in the interview. Accordingly, Applicants submit that the pending claims are allowable over the cited references, and no RCE should be needed.

The Examiner rejects independent claims 24 and 31 on two separate and independent grounds, so this Reply addresses each ground in turn.

103(a) Rejections Based on Everett and Hyuga

The Examiner rejects claims 24-32, 39-40, and 42-50 under 35 U.S.C. § 103(a) as being unpatentable over Everett, Jr. et al., U.S. Patent No. 5,202,661 ("Everett") in view of Hyuga, U.S. Patent No. 5,818,733 ("Hyuga"). The Examiner rejects claim 41 under 35 U.S.C. § 103(a) as being unpatentable over Everett in view of Hyuga and further in view of Kitamura, et al., U.S. Patent No. 5,554,983 ("Kitamura"). *Applicants respectfully traverse these rejections.*

As discussed with the Examiner in the Interview, Applicants note, "[i]f [a] proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." M.P.E.P. § 2143.01(V). Therefore, if the modification to Everett utilizing Hyuga's disclosure, as the Examiner proposes, renders Everett inoperable, "there is no suggestion or motivation to make the proposed modification."

Everett discloses a "system for detecting intrusion into a secured environment using both fixed and mobile intrusion detectors . . . The mobile sensors are mounted on one or more mobile platforms which selectively patrol throughout the environment and may be rapidly deployed to any region in the environment where a fixed intrusion detector detects a possible intrusion" (Abstract). "The sensor suite onboard the mobile robot contains multiple, high resolution

sensors of different types that are automatically oriented towards the potential *intruder*” (Everett, 2:31-34¹; emphasis added).

The Examiner argues that Hyuga discloses “the mobile target unit (1 of fig. 2) is . . . mounted in the object (the mobile unit is carried by said sender or player or user)” (Office Action, page 3). Thus, the Examiner apparently proposes to modify Everett such that Everett’s intruder (i.e., the object being detected by Everett’s mobile sensors) carries Everett’s mobile robot. As discussed in Applicants’ previous Reply, **such a modification clearly renders Everett inoperable. Everett’s intruder could not be expected to carry a device that is meant to surreptitiously detect the intruder’s presence. Furthermore, Everett’s intruder could simply dispose of the mobile robot if he were asked to carry it, thus rendering Everett’s system inoperable.**

For at least this reason, there is no suggestion or motivation to combine Everett with Hyuga. Therefore, Everett does not disclose or contemplate, alone or in combination with Hyuga, “wherein the mobile target unit is at least one of: mounted in the object, mounted on the object, carried in the object, or carried on the object” as recited in claim 31, and as similarly recited in claim 24.

103(a) Rejections Based on Moengen

The Examiner rejects claims 24-33 and 39-53 under 35 U.S.C. § 103(a) as being unpatentable over Moengen, U.S. Patent No. 6,373,508 (“Moengen”). *Applicants respectfully traverse these rejections.*

Moengen discloses “a method for manipulation of a movable object displayed in a television picture, [where] the distance between the object and fixed basic positions is detected at a time *t* together with the distance between the object and a television camera in a *known* position” (Abstract; emphasis added). “Both the position detectors [D] and the television cameras [K] are positioned in a *pre selected x,y,z coordinate system* . . . The positions of both the position detectors [D] and the cameras [K] *are precisely defined* in the x,y,z co-ordinate system” (5:51-59; emphasis added). “Where mobile cameras . . . are used, it will be possible to determine the *camera positions* by means of the position detectors [D]” (12:28-31; emphasis added). “[T]he position *of a mobile camera* . . . is determined by means of GPS and transferred to the production location” (16:17-20). “Four position detectors [D] are preferably used to

¹ In this Reply X:Y denotes column X and line Y of a given reference.

achieve unambiguous detection of the position of the natural object N. The position *of the object N* is thereby solely determined by distance measurements, i.e. by trilateration” (6:39-43; emphasis added). “The detected distances are given to a computing module 2 which by means of trilateration calculates the positions x,y,z at different times t and thereby also the path of the object N *on the basis of positions detected* at the different times t” (7:4-8; emphasis added). Because “the position of [Moengen’s] object N is . . . *solely* determined by distance measurements [of fixed position detectors D]” (6:39-43; emphasis added) (see also 5:51-59), Moengen does not disclose or contemplate, alone or in combination with any of the cited references, “a processor configured to correlate the first data and the second data to generate object location information”² as recited in claim 24, and as similarly recited in claim 31. Applicants therefore respectfully request withdrawal of these rejections.

The Examiner argues that “Moengen further teaches the object is a vehicle . . . and the mobile target unit . . . [is] at least one of: mounted in the object, mounted on the object, carried in the object, or carried on the object” (Office Action, page 8). However, nowhere does Moengen disclose or contemplate “wherein the mobile target unit is at least one of: mounted in the object, mounted on the object, carried in the object, or carried on the object” as recited in claim 31, and as similarly recited in claim 24.

Moengen simply refers to a possibility of using a mobile camera (see, e.g., Moengen, 12:28-31), but does not refer to the mobile camera being mounted in/on or carried in/on the object being monitored. In fact, all other cameras in Moengen are disclosed to not be mounted in/on or carried in/on the object being monitored (see, e.g., FIGS. 1 and 8). Therefore, there is no suggestion in Moengen that these mobile cameras would be mounted in/on or carried in/on the object being monitored (in fact, Moengen suggests the opposite).

For at least the reasons discussed above, Applicants respectfully request allowance of independent claims 24 and 31.


² The Examiner asserts “the second data is received from a mobile target unit (note the mobile camera is used . . .)” (Office Action, page 7). Regardless of if Moengen’s camera receives “second data,” it is clear from Moengen that nothing from Moengen’s camera is used to “generate object location information.” Moengen explicitly states, “the position of [Moengen’s] object N is . . . *solely* determined by distance measurements” (6:39-43; emphasis added), which explicitly excludes using any image data received through the cameras to determine position or location. Any GPS device in the mobile camera is used solely to determine the *camera’s* location, and not the location of the object (“object N”) being viewed by the camera: “When mobile cameras . . . are used, it will be possible to determine *the camera positions* by means of the position detectors D” (12:28-31; emphasis added).

Dependent claims 25-30, 32-33, and 39-53 variously depend from independent claims 24 and 31. Therefore, Applicants assert that dependent claims 25-30, 32-33, and 39-53 are patentable for at least the same reasons stated above for differentiating independent claims 24 and 31, as well as in view of their own respective features

In view of the above remarks, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is authorized to charge any fees due to Deposit Account No. 19-2814.

Respectfully submitted,

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